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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Item 3 of the provisional agenda

ORGANIZATION OF THE WORK OF THE SESSION

Letter dated 13 January 1998 from the Permanent Observer of Palestine to the United Nations Office at Geneva addressed to the United Nations High Commissioner for Human Rights

I enclose herewith two letters that His Excellency Mr. Miroslav Somol, Chairman of the fifty-third session of the Commission on Human Rights, addressed to me on 3 April and 7 July 1997 respectively. I am also enclosing my reply to Mr. Somol dated 14 July 1997.

I kindly request you to have these three letters distributed as official documents of the fifty-fourth session of the Commission on Human Rights under agenda item 3.

(Signed) Nabil RAMLAWI
Ambassador
Permanent Observer

Annex I

LETTER DATED 3 APRIL 1997 FROM THE CHAIRMAN OF THE FIFTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS TO THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS OFFICE AT GENEVA

I should like to refer to the meeting I had with a delegation of distinguished Arab ambassadors headed by the Chairman of the Arab Group regarding my reply to the letter of the Ambassador of Israel concerning parts of the statement you made in the Commission on 11 March 1997.

I am personally very sorry for any harm this may have caused you. It was certainly not my intention to do so.

Although I consider it my prerogative as Chairman to react to the letter of the Ambassador of Israel, I did not realize that it would have been better to consult with the Bureau before undertaking any such action. I will bear this in mind in the future.

Please be assured Mr. Ambassador, that it is my firm intention and duty to continue to be an impartial Chairman of the Commission on Human Rights.

(Signed) Miraslav SOMOL
Chairman of the fifty-third session
of the Commission on Human Rights

Annex II

LETTER DATED 7 JULY 1997 FROM THE CHAIRMAN OF THE FIFTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS TO THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS OFFICE AT GENEVA

I come back once again to the issue of your statements made during the fifty-third session of the Commission on Human Rights containing some allegations vis-á-vis Israel.

As I promised, I send you copies of letters of the United Nations Secretary-General, Mr. Kofi Annan, concerning the issue, in which the Secretary-General expressed his personal opinion as to the allegation made and also expressed the opinion that the Chairman of the Commission had to call the speaker to order in such a case.

I would like to inform you that I had received requests to do my best to find a solution to the problem and set the records of the Commission straight. Following our conversation with Vice Minister Kovanda I expect any reaction of yours as agreed. I would highly appreciate if we could find a suitable solution to the situation for all sides, both the delegations concerned and myself as Chairman of the Commission.

(Signed) Miraslav SOMOL
Chairman of the fifty-third session
of the Commission on Human Rights

Annex III

LETTER DATED 14 JULY 1997 FROM THE PERMANENT OBSERVER OF PALESTINE TO THE UNITED NATIONS OFFICE AT GENEVA ADDRESSED TO THE CHAIRMAN OF THE FIFTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS

I thank you for your letter dated 7 July 1997, and I would like to take this opportunity to reassure you that my statement before the Commission on Human Rights was an ordinary statement, made on the basis of many sources, including Press sources, the same as does any other delegation.

I do not think that there is any problem in doing so, or that I have exceeded the rules of order in the session. The proof is that neither you, in your capacity as Chairman of the Commission, nor any of your collaborators, who were sitting on the podium, uttered any remark, saying that I have transgressed the order, or that I have exceeded my status as head of the delegation of Palestine, who was just enumerating some continued Israeli crimes perpetrated against the Palestinian people, violating, daily, the human rights and the principles of international law, since the Israeli military forces occupied the rest of the Palestinian territory in 1967. In fact, these violations have been condemned by the Commission on Human Rights in all its sessions, for more than 25 years.

Moreover, the Commission on Human Rights has condemned the Israeli occupation authorities for committing war crimes, crimes of genocide, and crimes which have been disturbing the peace and security of mankind for more than 25 years. In this field, I would like to ask you to refer to the following resolutions of the Commission to be informed of the persistent Israeli crimes perpetrated against the Palestinian people:

1. Commission on Human Rights resolution 3 (XXVIII) of 22 March 1972.

2. Commission on Human Rights resolution 1983/3 of 15 February 1983.

3. Commission on Human Rights resolution 1984/11 of 29 February 1984.

4. Commission on Human Rights resolution 1989/2 of 17 February 1989.

in addition to tens of other resolutions in which the Commission on Human Rights condemned Israel for committing crimes classified by international law as war crimes, crimes against humanity, crimes disturbing the security and peace of mankind and crimes of genocide.

I think that what should be of interest to you today, in your capacity as Chairman of the Commission on Human Rights, is to work to put an end to the persistent crimes committed by Israel against the Palestinian people to its insubordination to the will of the international community, and to its disregard of the resolutions of the Commission on Human Rights, the General Assembly and the Security Council, which was manifest and certain in the report of the Secretary General of the United Nations, Mr. Kofi Annan (document S/1997/494 of 26 June 1997).

Concerning your desire to find solutions to the problem, I do not see that there is any problem which needs a solution, except introducing the Israelis responsible for the aforementioned crimes to the Hague War Crimes Tribunal, and the withdrawal of the Israeli forces from the Palestinian territory including Jerusalem, as well as from the other occupied Arab territories, so that the Palestinian people could practise their national rights, first of which is their right to self-determination and the establishment of their independent State of Palestine on their national soil; only then would peace and security prevail in the region.

(Signed) Nabil RAMLAWI
Ambassador
Permanent Observer

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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Items 4 and 12 of the provisional agenda
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Item 2 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Letter dated 14 January 1998 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Acting Deputy High Commissioner for Human Rights

Allow me to refer to a letter of 15 August 1997 submitted to you by the Permanent Observer of the PLO in Geneva and circulated, at his request, on 19 August 1997 as an official document of the Commission on Human Rights and also of the Sub-Commission on Prevention of Discrimination and Protection of Minorities (E/CN.4/1998/8-E/CN.4/Sub.2/1997/45). In that scurrilous letter, the PLO Observer accused the Israeli Ministry of Health of authorizing pharmaceutical companies "to experiment with dangerous drugs" on more than 4,000 Palestinians being held in detention facilities by Israel.

For several months now, we have been reluctant to dignify this outrageous and totally false allegation with a response. We had hoped, evidently naively, that Mr. Ramlawi would be persuaded to retract the gross anti-Semitic slur that he made during the fifty-third session of the Commission. However, it is now clear that, far from retracting, he is intent on compounding the insult by making further accusations in the same vein against the Israeli medical authorities. Moreover, it is unfortunately becoming apparent that Mr. Ramlawi's canards fit into a wider background of crude anti-Semitic (and not just anti-Israel) propaganda, currently being disseminated by certain Palestinian representatives in their unrelenting incitement against Israel - in patent violation of the Oslo Agreements (witness, for example, the support recently expressed by the Palestinian Writers' Association for Roger Garaudy, currently on trial in Paris on charges of denying the Holocaust).

To the substance of the present matter, the Israeli Minister of Health has issued an absolute and categoric denial of Mr. Ramlawi's allegations of experimentation with new and dangerous drugs on Palestinian detainees and prisoners. In addition, he has expressed outrage and indignation that the PLO Observer should have dared to suggest such an abhorrent idea. Let me quote from a statement issued on 23 September 1997 by the spokesman of the Ministry of Health:

> "Israel abides meticulously by all the regulations and instructions issued by relevant international organizations with regard to drug production. Minister of Health Joshua Matza maintains a close follow-up on the adherence to all the regulations and he personally expresses his exasperation and anger at the dissemination of groundless defamations."

Contrary to Mr. Ramlawi's mendacious claims, so-called "information" on the subject has never been "revealed" in parliamentary committees in the Knesset, nor has it been "reaffirmed" by officials of the Ministry of Health. Mr. Ramlawi's letter is, in fact, no more than a transparent concoction of falsehoods, inspired - like others he has penned - by the infamous doctrine of the "big lie".

With regret, I have to request that this letter be distributed as an official document of the Commission, under items 4 and 12 on the provisional agenda for its fifty-fourth session, and of the Sub-Commission, under item 2 on its provisional agenda for its fiftieth session.

(Signed) Yosef LAMDAN
Ambassador
Permanent Representative

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18 February 1998

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COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Items 4, 7 and 12 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND RELATED INTOLERANCE

Letter dated 6 February 1998 from the Permanent Representative of Israel to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

It has regrettably come to our attention that the Palestinian Observer has absolutely no intention of retracting the anti-Semitic slur which he made in the course of the fifty-third session of the Commission on Human Rights last year. Apparently, he does not even begin to comprehend the nature, let alone the depth, of the offence that he gave to Israel and, at the same time, to the Jewish people at large, when he revived the centuries' old "Blood Libel" and accused Israel and, in effect, Jews, of trying to kill non-Jewish children - in this case, Palestinian children - by injecting them with the HIV (AIDS) virus.

The Commission on Human Rights has defined anti-semitism as a form of racism. The Secretary-General of the United Nations has openly critized the Palestinian Observer for making the above-mentioned remark, commenting that any speaker in United Nations debates making unsubstantiated comments of such a nature should be called to order. You, yourself, rejected the Palestinian Observer's false allegations in your letter of 21 March 1997.

That forthright letter has not yet been placed square on the record of the Commission on Human Rights. I would request therefore that that letter be circulated, under cover of the present letter, as an official document under items 4, 7 and 12 on the provisional agenda of the fifty-fourth session of the Commission.

(Signed) Yosef LAMDAN
Ambassador
Permanent Representative

Annex

LETTER DATED 21 MARCH 1997 FROM THE CHAIRMAN OF THE FIFTY-THIRD SESSION OF THE COMMISSION ON HUMAN RIGHTS TO THE PERMANENT REPRESENTATIVE OF ISRAEL TO THE UNITED NATIONS OFFICE AT GENEVA

Thank you very much for your letter dated 17 March 1997 relating to a statement made at the fifty-third session of the Commission on Human Rights. I fully understand your concern as to the charge made against your country by the Palestinian Observer Ambassador Ramlawi in his statement delivered on 11 March 1997, saying that 300 Palestinian children have been recently injected by Israel with the HIV (AIDS) virus.

As Chairman of the current session of the Commission and representative of a country protecting and promoting democracy, human rights and a fair political dialogue, I share your feeling about such a serious allegation made without evidence, on the basis of a newsaper article. From the context of the situation and information generally available I assume that the speaker should be aware of the fact that these allegations have been proved completely false.

This unfortunate case reminds me of a very similar allegation made towards your country in 1991 in the Commission on Human Rights. Already at that time my predecessor, the Chairman of the forty-seventh session of the Commission, expressed the conviction that declarations provoking racist or discriminatory sentiments must not be tolerated in the Commission.

I fully share this opinion and personally strongly reject such a way of argumentation in the discussions of the Commission. It is my view that a statement of that kind cannot remain without an appropriate reaction.

As requested, your letter has been circulated as an official document of the Commission (E/CN.4/1997/122). I have arranged with the secretariat that my reply to your letter will also be circulated as an official document of the Commission.

(Signed) Miroslav SOMOL
Chairman of the fifty-third session
of the Commission on Human Rights